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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/643,775	08/18/2003	Oystein Lie	0668-49-019	4144

41552

7590

09/04/2008

MCDERMOTT, WILL & EMERY
4370 LA JOLLA VILLAGE DRIVE, SUITE 700
SAN DIEGO, CA 92122

EXAMINER

ART UNIT

PAPER NUMBER

DATE MAILED: 09/04/2008

Please find below and/or attached an Office communication concerning this application or proceeding.



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10643775	8/18/2003	LIE ET AL.	066849-019

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EXAMINER

AMANDA SHAW

ART UNIT	PAPER
1634	20080827

DATE MAILED:

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Commissioner for Patents

Receipt is acknowledged of a request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e) and a submission, filed on June 25, 2008. The submission, however, is not fully responsive to the prior Office action. The MPEP section 706.07(h) states that an Applicant may file a submission under 37 CFR 1.114 containing only an information disclosure statement (37 CFR 1.97 and 1.98) in an application subject to a notice of allowance under 35 USC 151, but not in an application where the last Office action is a final rejection or an Office action under Ex parte Quayle 25 USPQ 74, 453 OG 213 (Comm'r Pat. 1935), or in an application that is under appeal. In the instant case the Applicants filed a Notice of Appeal on November 30, 2007 therefore this case is under appeal and the filing of only an information disclosure statement is not fully responsive to the prior Office action. Since the submission appears to be a bona fide attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period for reply supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a).

/Ram R. Shukla/
Supervisory Patent Examiner, Art Unit 1634